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SEP 22 2004

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EXT. NO.: 560DATE: September 22, 2004OUR FILE NO.: 640100-326

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Applicant(s):

Pittenger, et al.

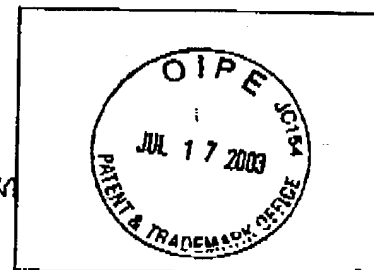
Serial No.:

09/319,521

Filed:

June 4, 1999

Title (or mark):

Improved chondrogenic differentiation of Human Mesenchymal Stem Cells**DOCUMENTS ENCLOSED**
☐ Application sheets: Descr.: \_\_\_\_\_  
 Drawing sheets: \_\_\_\_\_

☐ Claims \_\_\_\_\_ ☐ Abstract \_\_\_\_\_  
☐ Formal ☐ Informal

☐ Declaration (executed \_\_\_\_\_)

☐ Assignment to: \_\_\_\_\_

☐ Verified Statement Claiming Small Entity Status

☒ Type of OA: Final Rejection
☒ Response to OA dated 4-22-03  
☐ \_\_\_\_\_ Mo. Ext. of Time

☒ Inform. Disc. Statement

☒ Other: RCE
☒ Form PTO-1449 with copies of  
reference cited
☒ transmittal letter
☒ Check Amount \$ 250.00 No. 2254
☐ Formal Drawing \_\_\_\_\_ sheets

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Patent Examining Operations**

Applicant(s): Pittenger, et al.  
Serial No: 09/319,521 Art Unit: 1644  
Filed: June 4, 1999 Examiner: Decloux  
Title: Improved Chondrogenic Differentiation of Human Mesenchymal Stem Cells  
Docket No.: 640100-326 Customer No.: 27162

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
SIR:

Enclosed please find the following:

1. Request for Continued Examination;
2. Response;
3. Information Disclosure Statement;
4. Form PTO-1449;
5. Copies of References Cited;
6. Check in the amount of \$750.00; and
7. A self-addressed, postage paid, return receipt postcard, date stamp and return of which is respectfully requested.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 C.F.R. 1.16 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

**FIRST CLASS CERTIFICATE**

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*Raymond J. Lillie* 7/15/03  
Raymond J. Lillie, Esq. Date

#188030 v1

Respectfully submitted,

*Raymond J. Lillie*  
Raymond J. Lillie, Esq.  
Reg. No. 31,778

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF: Pittenger, et al.  
SERIAL NO: 09/319,521 GROUP ART UNIT: 1644  
FILED: June 4, 1999 EXAMINER: Decloux  
CUSTOMER NO.: 27162  
FOR: Improved Chondrogenic Differentiation of Human Mesenchymal Stem Cells  
ATTY/DKT NO.: 640100-326

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

Pursuant to 37 C.F.R. §1.56(a), Applicant(s) hereby cite(s) the enclosed documents listed on the attached copy of Form PTO-1449 which are believed to be material to the patentability of the above-identified application.

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR §1.97 indicated below:

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- (1) Within three months of the filing date of a national application; OR
- (2) Within three months of the date of entry of the national stage of an international application; OR
- (3) Before the mailing of a first Office Action on the merits. No fee or statement is required.

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- (1) A Final Action or under 37 CFR §1.113; OR
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is accompanied by either: (check one)

- ☐ The statement as specified in 37 CFR §1.97(e) set out below;  
OR  
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- (1) a Final Action or under 37 CFR §1.113; OR
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- BUT filed on or before payment of the Issue Fee; AND

is accompanied by:

- (1) The statement as specified in 37 CFR §1.97(e) as set forth below; AND
- (2) Petition is hereby made under 37 CFR §1.97(d) for consideration of this Information Disclosure Statement; AND,
- (3) The petition fee of \$180.00 set out in 37 CFR §1.17(i).

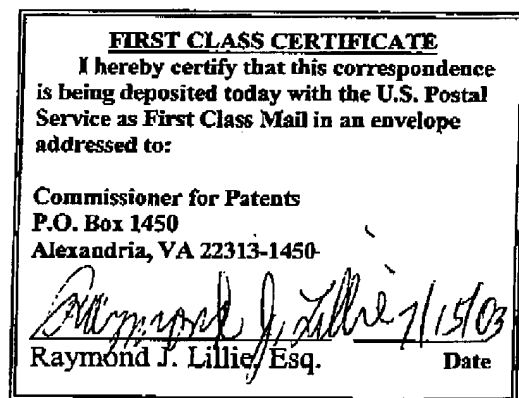
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or

\_\_\_\_ no item of information contained in this Information Disclosure Statement was cited in a first communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned Attorney after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0678.



#187990 v1

Respectfully submitted,

*Raymond J. Lillie*  
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